IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

RCRev..No. 102 of 2007()

RCA.30/2005 of II ADDL. RENT CONTROL APPELLATE AUTHORITY PALAKKAD
RCP.11/2003 of THE RENT CONTROL COURT, CHITTUR
.....

REVISION PETITIONER/1ST APPELLANT/1ST RESPONDENT:

LAKSHMI, AGED 68 YEARS, W/O.LATE VELUNNI,
VALIYACHALLA, MUTHALAMADA, CHITTUR TALUK,
PALAKKAD DISTRICT.

BY ADV. SRI.A.T.ANILKUMAR

RESPONDENTS/2ND APPELLANT/PETITIONER/2ND RESPONDENT:
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1. R.M MUTHU, AGED 71 YEARS,
S/O. RAKKANDI, VALIYACHALLA,
MUTHALAMADA, CHITTUR TALUK,
PALAKKAD DISTRICT.

2. MADHAVAN, AGED 49 YEARS,
S/O.LATE VELAYUDHAN, -DO- -DO-.

THIS RENT CONTROL REVISION HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN & ANTONY DOMINIC,JJ.

R.C.R.NO.102 OF 2007

Dated this the 26th day of March, 2007

JUDGMENT

Antony Dominic,J.

Tenant, who is faced with an order of eviction under Section 11(3) of the Kerala Buildings (Lease and Rent Control) Act, is the revision petitioner. After arguing the case for some time, the learned counsel for the tenant sought to withdraw the contentions raised and the revision petition itself and sought time for surrendering vacant possession of the premises to the landlord.

2. Accordingly, the revision petition will stand dismissed. However, taking into account the fact that the tenant's counsel has withdrawn the contentions, we are inclined to grant six months' time to the tenant to surrender vacant possession of the premises to the landlord subject to the following

conditions:

i) That the tenant shall file an affidavit before the Execution Court within one month from today undertaking to surrender vacant possession of the premises to the landlord on or before 26/9/2007.

ii) That an amount equal to the rent shall be paid as compensation for the use and occupation of the premises without default and

iii) That the tenant shall also undertake not to induct any third party into the premises in the meanwhile.

3. It is made clear that in case the tenant commits default of any of the above conditions, the landlord will be at liberty to evict the tenant forthwith.

P.R.RAMAN,
Judge.

ANTONY DOMINIC,
Judge.

kcv.